

OCT 12 2005

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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**FACSIMILE COVER SHEET**

Deliver to: Joshua A. Kading, USPTO Art Group: 2661  
 Facsimile No.: (571) 273-8300 Date: October 12, 2005  
 From: Vincent H. Anderson, Reg. No. 54,962  
 Our Docket No.: 15685P042 Number of pages 18 including this sheet.  
 Application No.: 09/919,683 Filing Date: 7/31/2001  
 Docket Due Date(s): 10/12/2005

Enclosed are the following documents:

- |                                                                       |                                                                                   |
|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Amendment: _____ ( <u>17</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( _____ pgs)                    | <input type="checkbox"/> Notice of Appeal                                         |
| <input type="checkbox"/> Application: _____                           | <input type="checkbox"/> Petition for: _____                                      |
| ( _____ pgs) w/cover & abstract)                                      | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)        | <input type="checkbox"/> Reply Brief ( _____ pgs)                                 |
| <input checked="" type="checkbox"/> Certificate of Facsimile _____    | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)      | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( _____ pgs)               | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures        | <input type="checkbox"/> Response to Written Opinion ( _____ pgs)                 |
| <input type="checkbox"/> Extension of Time: _____                     | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)    | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( _____ pgs)                 | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <input type="checkbox"/> Other _____                                  |                                                                                   |

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 Theresa Belland

10/12/2005

Date

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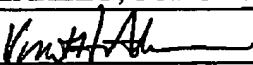
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/919,683
		Filing Date	July 31, 2001
		First Named Inventor	Craig H. Barratt
		Art Unit	2661
		Examiner Name	Joshua A. Kading
Total Number of Pages in This Submission	17	Attorney Docket Number	15685P042

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Vincent H. Anderson, Reg. No. 54,962 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 12, 2005

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Typed or printed name	Theresa Belland		
Signature		Date	October 12, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 08/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

OCT 12 2005

<h1 style="text-align: center;">FEE TRANSMITTAL for FY 2005</h1> <p style="text-align: center;"><i>Patent fees are subject to annual revision.</i></p>		<b>Complete If Known</b>	
		Application Number	09/919,683
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	July 31, 2001
		First Named Inventor	Craig H. Barratt
<div style="display: flex; justify-content: space-between;"> <div><b>TOTAL AMOUNT OF PAYMENT</b></div> <div>(\$) 0.00</div> </div>		Examiner Name	Joshua A. Kading
		Art Unit	2661
		Attorney Docket No.	15685P042

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: **Blakely, Sokoloff, Taylor & Zafman LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s)☒ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

1. EXTRA CLAIM FEES		Extra Claims	Fees from below	Fee Paid
Total Claims	55	57	0	50.00
Independent Claims	6	6	0	200.00
Multiple Dependent				

### Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	*Reissue independent claims over original patent
1205	300	2205	150	*Reissue claims in excess of 20 and over original patent

\*or number previously paid, if greater. For Reissues, see below

SUBTOTAL (1)

(S)	0.00
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## 2. ADDITIONAL FEES

ADDITIONAL FEES	
Large Entity	Small Entity
<p>1. Filing fee: \$1,000</p> <p>2. Publication fee: \$1,000</p> <p>3. Maintenance fee: \$1,000</p>	<p>1. Filing fee: \$500</p> <p>2. Publication fee: \$500</p> <p>3. Maintenance fee: \$500</p>


Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,580	2254	785	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	600	Request for oral hearing
1451		2451		Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1805	180	Submission of Information Disclosure Stmt
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (2)**

(S)

**Fee Paid**[illegible]

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Vincent H. Anderson	Registration No. (Attorney/Agent)	54,962	Telephone	(503) 439-8778
Signature				Date	10/12/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zefman (wlr) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

OCT 12 2005

<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">for FY 2005</h2> <p style="text-align: center;"><i>Patent fees are subject to annual revision.</i></p>		<p style="text-align: center;"><b>Complete If Known</b></p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	09/919,683
		Filing Date	July 31, 2001
		First Named Inventor	Craig H. Barratt
		Examiner Name	Joshua A. Kading
		Art Unit	2661
		Attorney Docket No.	15685P042
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b>	<b>0.00</b>

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

1. EXTRA CLAIM FEES		Extra Claims	Fee from below	Fee Paid
Total Claims	55	0	50.00	\$0.00
Independent Claims	6	0	200.00	\$0.00
Multiple Dependent				

### Multiple Dependent

Large Entity		Small Entity		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

\*or number previously paid, if greater. For Reissues, see below

**SUBTOTAL (1)**

(\$)	0.00
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## 2. ADDITIONAL FEES

ADDITIONAL FEES	
Large Entity	Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	26	Surcharge - late provisional filing fee or cover sheet.
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,580	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451		2451		Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)
1806	180	1806	180	Submission of Information Disclosure Stmt
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(e))
1810	780	2810	395	For each additional invention to be examined (37 CFR § 1.129(e))

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (2)**

**{S}**

**Fee Paid**[illegible]

## SUBMITTED BY

**Complete (if applicable)**

Name (Print/Type)	Vincent H. Anderson	Registration No. (Attorney/Agent)	54,962	Telephone	(503) 439-8778
Signature				Date	10/12/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 12/15/2004.  
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OCT 12 2005

Attorney Docket No.: 015685.P042

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Barratt et al.**

Application No: 09/919,683

Filed: July 31, 2001

For: RESOURCE ALLOCATION IN A  
WIRELESS NETWORK

Examiner: Joshua A Kading

Art Unit: 2661

**Mail Stop Amendment**

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

In response to the Office Action mailed July 12, 2005, Applicants respectfully request reconsideration of the above-referenced U.S. Patent application in light of the following.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

**Conclusion** begins on page 13 of this paper.